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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SHIRLEY MAXINE SMART,

No. C 10-03353 JCS

Plaintiff(s),

**ORDER OF DISMISSAL**

v.

CARRIER CORPORATION,

Defendant(s).

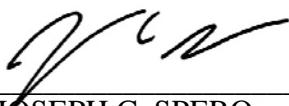
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The Court having been advised that the parties have agreed to a settlement of this case,

IT IS HEREBY ORDERED that this case is dismissed in its entirety with prejudice; provided, however, that if any party hereto shall certify to this Court, within sixty (60) days, with proof of service of a copy thereon to opposing counsel, that the agreed consideration for said settlement has not been delivered over, the foregoing Order shall stand vacated and this case shall forthwith be restored to the calendar to be set for trial.

IT IS SO ORDERED.

Dated: November 1, 2010

  
JOSEPH C. SPERO  
United States Magistrate Judge